

Annex

[Original: Spanish]

Balance sheet of the pre-electoral situation  
as of 20 April 1994

1. This is a situation report on the monitoring in the last few weeks by the United Nations Observer Mission in El Salvador (ONUSAL) of the conditions for holding the second round of voting in the presidential election next Sunday, 24 April. When the Secretary-General's fourth report on the activities of ONUSAL's Electoral Division was issued (S/1994/375), the official results of the first round were still not known. The results of the voting in the presidential election were as follows: Alianza Republicana Nacionalista (ARENA), 49.03 per cent; Coalition Convergencia Democratica (CD) - Frente Farabundo Martí para la Liberación Nacional (FMLN) - Movimiento Nacional Revolucionaria (MNR), 24.9 per cent; Partido Demócrata Cristiano (PDC), 17.87 per cent; Partido Conciliación Nacional (PCN), 5.39 per cent; Partido Movimiento de Unidad (PMU), 2.41 per cent; Movimiento de Solidaridad Nacional (MSN), 1.06 per cent; and Movimiento Auténtico Cristiano (MAC), 0.83 per cent. In view of those results and according to Salvadorian electoral law since no candidate had obtained a simple majority, a second round of voting in the presidential election had to be held between the two candidates having obtained the highest number of votes. Moreover, having failed to obtain 1 per cent of the votes and in accordance with article 261 of the Electoral Code, the MSN, MAC and MNR parties will be eliminated. As a result of the election for the Legislative Assembly, the 84 seats have been allocated as follows: ARENA 39; FMLN 21; PDC 18; PCN 4; CD 1; PMU 1. Finally the 262 mayoralties are distributed as follows: ARENA 206; PDC 29; FMLN 16; PCN 10; MAC 1.
2. While the series of irregularities noted in the Secretary-General's previous report (S/1994/375) did not represent any significant manipulation and had no impact on the outcome of the presidential election, those irregularities could have influenced some results in the elections for the Assembly and the Municipal Councils, given the smaller size of the electoral districts, and might give rise to a substantial number of challenges.
3. In line with the foregoing and in a letter addressed to the Supreme Electoral Tribunal on 24 March, ONUSAL made recommendations pointing out the most relevant flaws that should be rectified in the second round of voting. Some referred to the organization of the elections: the number of polling centres, transportation for the voters, guidance and training of the election officers at the polling stations and electoral publicity. With regard to the Electoral Register, it was recommended that particular attention should be paid to ensuring that the lists of eligible voters publicly posted and those at the polling stations were identical. A consensus was reached on those aspects shortly thereafter between the candidates (ARENA and the CD/FMLN/MNR Coalition) and the Supreme Electoral Tribunal in the course of meetings to consider the problem, based on a previously agreed timetable.

4. The ONUSAL Electoral Division assigned observers to the five areas of work which the candidates and the Tribunal regarded as most important, namely, the Electoral Roll, Computation, Printing, the Electoral Project and Training. ONUSAL verified that the ballot papers were printed in its presence and that of representatives of the parties, with the exception of the first 10,000 or so test ballots that were not numbered. No numbered ballots were printed when the ONUSAL observers were not present and they reported that the printing of the ballot papers was completed without incident.

5. It is hoped that the increase in the number of polling centres to 35, in particular in the area of greater San Salvador, will serve to relieve the congestion caused by crowds of voters on 24 April. However, this measure may not be sufficient to solve the problem of access to the polling centres experienced on 20 March. Furthermore, in light of the upcoming rainy season, the installation of hundreds of open air polling centres continues to be very risky.

6. There is concern about the limited and uneven success of the training programme for members of polling centres and stations. With the exception of the Department of Chalatenango, ONUSAL observers have reported irregular attendance by members of ARENA and the Coalition at the Tribunal's training sessions.

7. By the same token, there is no evidence that information officers are being groomed to guide voters at the polling centres, as the Tribunal has been advertising. There is still enough time to attend to this need. It is imperative that the Tribunal designate these officials as soon as possible and that it place big signs at the entrance to the polling centres indicating the first and last names of each polling station.

8. It is cause for concern that it is taking so long to find an arrangement acceptable to the Tribunal for dealing with the problem of transportation despite the availability of financial resources from various donors. A formula is being finalized that would offer free transportation in the rural areas and an agreement is being negotiated with the urban bus companies guaranteeing that all lines that normally operate in the city will be functioning. Since the polling centres in El Salvador are arranged in alphabetical order, not on the basis of proximity to the voters, which is unusual in such cases, it is essential that transportation be provided. It is clear that the supreme electoral authority cannot relinquish that responsibility.

9. ONUSAL has been informed that around 30,000 persons have been listed in the electoral roll, two thirds of whom had asked to be registered but had failed to submit the necessary birth certificates to support their requests. The remaining third consisted of replacements or changes. The Mission has also been informed that each polling station will receive two identical copies of the electoral roll. Previously, the rolls were different, in that the one at the polling table provided space for the voters to sign and make comments whereas the one posted for the public was more condensed. ONUSAL cannot but express its regret that, despite the amount of time and resources invested in registering voters, there continue to be problems that adversely affect the transparency of the electoral roll and the exercise of the right to vote.

10. With regard to the provisional count and the transmission of the results on the night of 24 April, it would be advisable for the Tribunal to do its utmost to avoid a recurrence of the information vacuum witnessed during the March election. It is obvious that for a number of reasons with which the Tribunal is familiar and which could recur on 24 April, the arrangements for collecting information were not workable. In this connection, ONUSAL has once again offered the Tribunal its technical services to collaborate with the staff resources available to the Tribunal in designing a system of information collection and phased counting of votes with a view to avoiding a recurrence of the distressing situation created during the first electoral round on 20 March. Together with the lack of information, that situation gave rise to speculation as to the fairness of the election, which the United Nations defended from the outset on the basis of the results of a "quick count".

11. With regard to challenges to the results of the voting, ONUSAL is concerned at the manner in which the file on the FMLN's protest against the electoral results in 37 municipalities was closed. It is the opinion of the Mission's legal services that those protests should have been examined more carefully. At the same time it regrets that, to date, no meeting has been held, as initially agreed by the Tribunal, between the legal experts of the challenging party, ONUSAL and the Tribunal, in order to study in detail the legal basis for the Tribunal's decision.

12. ONUSAL welcomed as a very positive move, the signing of the declaration by the two presidential candidates on Monday, 18 April, in which they express their faith in the country's governability, they pledge to conduct a dignified campaign and they promise to work during the next two years towards comprehensive reform of the electoral system. The Secretary-General also referred to electoral reform in his report of 31 March (S/1994/375). The United Nations will always stand ready to provide technical support for a thoroughgoing reform of the electoral system that includes a single identity document, voting in the area of residence and a closer relationship between the formulas for representation in the Assembly and in the municipalities.

13. Before the signing of the declaration by the presidential candidates, their respective campaign managers met and sent a joint letter to all the national media asking them not to accept electoral publicity from organizations or individuals other than those affiliated with the political parties of the candidates. The monitoring by the Tribunal of compliance with the law governing this matter will be of paramount importance.

14. With regard to the atmosphere in which the campaign is developing, the Electoral Division has received complaints of acts of intimidation and attempts to buy votes, especially in the Department of Sonsonate. It is regrettable that there have been a few isolated acts of violence during the electoral campaign.

15. As to publicity in the media, during the past two weeks ONUSAL has detected some advertising "spots" that violate the electoral law and the spirit of reconciliation of the Peace Agreements. The Mission is gratified that the agreement between the two candidates and their respective campaign managers has elevated the tone of the campaign.

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